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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,554	10/13/2000	Steven J. Grenier	A0324/7017/KDW	9016

7590 05/08/2002
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EXAMINER

HASHMI, ZIA R

ART UNIT	PAPER NUMBER
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2881

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/687,554

Applicant(s)

GRENIER, STEVEN J.

Examiner

Zia R. Hashmi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. According to the " Preliminary Amendment " received February 5, 2002, the following amendments have been made:

(a) Lines 19-20 on p. 5, lines 3-20 on p. 8, and paragraph on p. 12, line 27- p. 13, have been replaced with new paragraphs of the Amendment.

(b) Amended drawings have been attached to the application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Independent claims 9, 16, 22, and 27 are rejected under 35 U.S.C. second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as invention. It is not clear from the claims whether "shield " is a radiation shield or " source " is a radioactive source.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-40 are rejected under U.S.C. 103(a) as being unpatentable over Perry (5,272,349), in view of Brown (4,943,731).
5. With respect to independent claims 1, 9, 16, 22, 26-27, 32, and 37, and dependent claims 8, 10-12, 17-19, and 26, and assuming claims 9, 16, 22, and 27 refer to radiation source and shielding, Perry discloses a radioactive source handling method and apparatus comprising of aligned (col. 3, lines 14-15) housing or jacket (col. 3, lines 29-34 and col. 6, lines 50-53), with locking means (col. 3, lines 33-34 and col. 6, lines 60-62), removably secured to the radioactive source housing, containing a radioactive source surrounded by a shield assembly, with one of the shields made of tungsten (Abstract, lines 5-7, col. 3, lines 7-10 and col. 4, lines 21-22), with endplates (col. 3, lines 29-32, 35-40, 49-50, 55-60, col. 6, lines 35-39, and Figures 1, and 3), brackets and removable pins to secure the shields (col. 3, lines 50-56 and Fig.1). Perry also discloses a method of operating a radiation camera comprising of unlocking a shield that blocks the radiation source (col. 4, lines 13-15), so as to unblock the radiation source opening and moving a radiation source from within the camera through the radiation source opening (col. 3, lines 54-57 and 64-66).
6. With respect to claims 1-7, 13-16, 20-25, 27-36, and 38-40, Perry fails to disclose a conduit for radioactive source, connector assembly with a wire for the radiographic camera, or an aligned guide cable or rotors. Brown, however, discloses method and apparatus for using radiological cameras of the type designed for gamma radiography

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(Abstract and col. 1, lines 13-14), with conduit for radioactive source (col. 1, lines 67-68), with connector assembly with a housing containing radioactive source (col. 1, lines 53-68 and col. 2, lines 55-60), with an aligned opening communicating with the pathway (col. 5, lines 26-28), and adapted to receive a flexible guide cable that allows to expose the radioactive source (col. 1, lines 35-45, col. 4, lines 27-33, and col. 6, lines 9-14) with a remote control wire (col. 5, lines 55-56). Brown further discloses that the connector assembly is adapted to receive a guide cable fitting to move the slider (col. 3, 50-53 and col. 4, lines 66-68), rotary means of alignments (col. 4, lines 34-39, 58-63 and col. 6, lines 9-14), with a radiation source opening in the camera through which a radiation source can pass through it (col. 1, lines 38-43 and col. 3, lines 1-12, 63-65).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Perry's method and apparatus so as to incorporate the features of Brown as describe above, make housing of polyurethane, add a handle with a ferrule and a knob, and shields made of depleted uranium with sliding locking mechanism and rotary means of opening and closing (refer to claims 1-5, 13-14, 20-21, 28-31, 33-36, and 38-40), because Brown teaches (col. 1, lines 13-19) that when using cameras for gamma radiography, it is necessary to transfer radioactive source assembly into the camera, from a position where it in a shielded container other than the camera.

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Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sauerwein et al. disclose (4,692,628) a pipeline switch for guiding a radiation source by a cable to another conduit.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zia Hashmi whose telephone number is (703) 305-0419.

The examiner can normally be reached between 8.30 AM- 5 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on (703) 308-4116.

Zia Hashmi

April 18, 2002


JOHN R. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800